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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/668,249	09/24/2003	Hongwei Wang	1875.5090000	4291
28393 7590 11/30/2007 STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C. 1100 NEW YORK AVE., N.W. WASHINGTON, DC 20005			EXAMINER NGUYEN, DANNY	
			ART UNIT 2836	PAPER NUMBER
			MAIL DATE 11/30/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/668,249

Applicant(s)

WANG, HONGWEI

Examiner

Danny Nguyen

Art Unit

2836

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 30 August 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments filed 8/30/2007 have been fully considered but they are not persuasive.

Regarding claim 1, 9, and 17 applicant argued that Jung does not disclose the size of the n-type transistor and the ESD protection system collectively is less than a size of an n type transistor. This argument is not persuasive. First of all, the term "a size of an n type transistor" is unclear. Thus, this term can be understood that any n type of transistor in an integrated circuit. In addition, Jung does disclose a circuit (such as internal circuit 220) and an ESD protection system (230) (see figure 2). Note that the internal circuit 220, see figure 2, includes a plurality of MOS transistors which is inherently includes an n type of transistor, see col. 6, lines 28-30). Thus, one of ordinary skill in the art would recognize that the size of the n-type transistor (such as a size of an n type of transistor of the internal circuit 220) and the ESD protection system (such as a size of the ESD system 230) inherently is less than a size of any n type transistor in the semiconductor device which is adapted to comply with the operational requirement and the ESD requirement. Thus, the applicant's argument with respect to claims 1 and 9 do not overcome the Jung reference.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1, 9, 17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The term "a size of an n type transistor" recited in claims 1, 9 and 17 is unclear.

For purpose of examination, this term can be understood that any n type of transistor in an integrated circuit .

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

3. Claims 1-17 are rejected under 35 U.S.C. 102(a) as being anticipated by Jung. (USPN 6,566,717).

Regarding claims 1, 9, Jung discloses a system (figure 2) comprises a circuit (220) comprising an n type, the n type transistor adapted to comply with an operational requirement Note that the internal circuit 220, see figure 2, includes a plurality of MOS transistors which is inherently includes an n type of transistor, see col. 6, lines 28-30), an ESD protection system (230) adapted to comply with an ESD requirement,, and a pad (210), wherein the ESD protection system is connected in series between the pad and the n type transistor and substantially eliminates ESD from flowing from the pad into the n type transistor (see col. 3, 4, lines 49-5), the size of the n-type transistor and

the ESD protection system collectively is less than a size of an n type transistor adapted to comply with the operational and ESD requirements (inherently).

Regarding claims 2, 3, 10, 11, Jung discloses the circuit comprises n-type transistor (inherent).

Regarding claims 4-8, 12-16, Jung discloses the ESD protection system comprises a resistor (410, figure 4A), an NMOS transistor (231), a PMOS transistor (232).

Regarding claim 17, Jung discloses a system (figure 2) comprises a circuit (220) comprising an n type, the n type transistor adapted to comply with an operational requirement Note that the internal circuit 220, see figure 2, includes a plurality of MOS transistors which is inherently includes an n type of transistor, see col. 6, lines 28-30), one of a NMOS, an a PMOS transistor (231, 232), and a pad (210), wherein the one of the NMOS transistor and the PMOS transistor is connected in series between the pad and the n type transistor and substantially eliminates ESD from flowing from the pad into the circuit (see col. 3, 4, lines 49-5), and the size of the n type transistor and the the one of NMOS transistor and the PMOS transistor collectively is less the size of an n type transistor adapted to comply with the operational and ESD requirement (inherently).

#### ***Conclusion***

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Danny Nguyen whose telephone number is 571-272-2054. The examiner can normally be reached on 8:00-4:30 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Sircus can be reached on 571-272-2058. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DN

DN  
5/17/2007

*Stephen W. Jackson*  
11-26-07

STEPHEN W. JACKSON  
PRIMARY EXAMINER